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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,856	02/27/2002	Douglas U. Mennie	247171-000373USD1	6222
41230	7590 06/19/2008		EXAMINER	
CUMMINS-ALLISON CORP. C/O NIXON PEABODY LLP			SWARTZ, JAMIE H	
161 N. CLARI CHICAGO, IL	K ST., 48TH FLOOR		ART UNIT PAPER NUMBER	
emeado, ie	2 00001		3694	
•			MAIL DATE	DELIVERY MODE
•			06/19/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

. The time period for reply, if any, is set in the attached communication.

Application Number	Application/Control No.	Reexamination MENNIE ET AL.	
	1.0001.000		
	10/084,856	Art Unit	
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Document Code - AP.PRE.	DEC		·
Notice of Panel De	cision from Pre-	Appeal Brief	Review
			•
This is in response to the Pre-Appeal Br	rief Request for Review filed 5/	<u>15/08</u> .	
1. The Request – The Recreason(s):	quest is improper and a confer	ence will not be held f	or the following
☐ The request does not include☐ A proposed amendment is i☐ Other:	ot been filed concurrent with the reasons why a review is appointed with the Pre-Appeal B	rief request.	•
The time period for filing a response the mail date of the last Office comme	e continues to run from the rec munication, if no Notice of App	eipt date of the Notice eal has been received	of Appeal or from I.
2. Proceed to Board of Patent held. The application remains unde is required to submit an appeal brief will be reset to be one month running from the receipt of the notic appeal brief is extendible under 37 of the notice of appeal, as applicable	or appeal because there is at least in accordance with 37 CFR 4 from mailing this decision, or the of appeal, whichever is great CFR 1.136 based upon the market in the control of the market in the control of the cont	ast one actual issue in 1.37. The time period he balance of the two- liter, Further, the time	for filing an appeal month time period period for filing of the
∑ The panel has determined Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 258-261 ar Claim(s) withdrawn from considerations.	the status of the claim(s) is as and 267-270.	s follows:	
 Allowable application — A control Allowance will be mailed. Prosecut applicant at this time. 	conference has been held. The tion on the merits remains clos	rejection is withdrawr ed. No further action	and a Notice of is required by
4. Reopen Prosecution - A coaction will be mailed. No further a	onference has been held. The control is required by applicant a	rejection is withdrawn t this time.	and a new Office
All participants:			
(1) JAMES P. TRAMMEL	(3) Mar	yCheung m	
(2) Jamie H. Swartz 5/16/08	(4)	yCheung me -	

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